

REMARKS

Amendments to the Abstract

The examiner has objected to the Abstract of the Disclosure citing its failure to comply with the requirements of MPEP §608.01(b).

Applicants herewith submit a substitute Abstract in marked and clean copy format to overcome the Examiner's objection. No new matter has been introduced by way of this amendment.

Rejections under 35 U.S.C. §102(b)

Claims 1, 2, 4-30, 32, 33, 35 and 37-66 are pending. Claims 3, 31, 34 and 36 are cancelled. Claims 1, 2, 4-30, 32, 33, 35 and 37-66 have been rejected under 35 U.S.C. §102(b) as being anticipated by EPO application 02077219.0, filed June 7, 2002 (the "EPO application") on the grounds that the corresponding PCT/EP03/06120 application (the "PCT application") was filed more than one year after the filing date of the EPO application.

The PCT application claims priority to the EPO application and the present application claims priority to both. Although not explicitly stated by the Examiner, it is assumed that the rejection is based on the actual publication of the EPO application and the presumption that applicant cannot rely on its priority claims and that the effective filing date of the application is therefore December 15, 2005.

However, the Applicant is entitled to claim priority to the PCT and EPO applications because the PCT application was timely filed in the PCT Receiving Office of the EPO. The EPO application was filed on June 7, 2002. The PCT application should have been filed by June 7, 2003. However, that date fell on a Saturday so the PCT application could have been filed on June 9. However, June 9, 2003 was a holiday in Europe. The Examiner's attention is directed to official calendar of the European Patent Office in 2003 (page 13, line 7 of the table). A copy of the EPO Official Calendar for 2003 is attached hereto in support of Applicant's argument. The national holiday called Whit Monday was June 9, 2003. Accordingly, no application could be

filed before the next working day, i.e. June 10 2003. Whit Monday is a recognized holiday throughout Europe.

Applicants timely filed the PCT application on June 10, 2003. The application's priority claim to the PCT and EPO applications is therefore correct. This being the case, the EPO application cannot be used as prior art against the claims. Applicant respectfully requests the withdrawal of the Examiner's Rejection of the claims under 35 U.S.C. §102(b).

Further to the Examiner's comment on the patentability of the claims under 35 USC §103(c), the subject matter of all of the claims was commonly owned by the same entity or under an obligation of assignment to the same entity at the time the inventions were made.

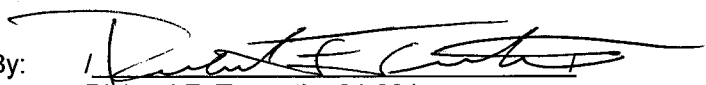
Applicant believes the claims are in a condition for allowance. Early notification thereof is respectfully requested.

While no additional fee is believed to be due, if this belief is in error the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 50-0310 (Our Order No. 067670-5004-US).

If there are any questions with regard to the foregoing, please call applicant's attorney at 415-442-1000.

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Respectfully submitted,
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Filed Under 37 C.F.R. 1.34

DB2/21113901.1

--ABSTRACT

The present invention relates to novel compounds for modulating the activity of exchange proteins directly activated by cAMP (Epacs). In particular, the present invention relates to cAMP analogues that specifically modulate the activity of Epacs. Examples of the compounds of the invention are substituted deoxyadenosine-cyclic monosphosphates.

The invention further relates to pharmaceutical compositions comprising the novel compounds, and the use of the compounds in the treatment of diseases like cancer, chronic inflammation, thrombosis and/or type-2 diabetes mellitus in humans and/or animals.--

Tage/Days/Jours	EP	AT	BE	BG	CH/LI	CY	CZ	DE ¹	DK	EE	ES	FI	FR
Neujahr/New Year/ Nouvel An 1.1.	x	x	x	x	x	x	x	x**	x	x	x	x	x
Heilige Drei Könige/ Epiphany/Epiphanie 6.1.	x ²	x				x		x			x	x	
Karfreitag/Good Friday/ Vendredi Saint 18.4.	x				x	25.4.		x**	x	x	x	x	x ¹²
Ostermontag/Easter Monday/Lundi de Pâques 21.4.	x	x	x		x	28.4.	x	x**	x			x	x
Maifeiertag/May Day/ Fête du travail 1.5.	x	x	x	x		x	x	x**		x	x	x	x
Christi Himmelfahrt/ Ascension Day/ Ascension 29.5.	x	x	x		x			x**	x			x	x
Pfingstmontag/Whit Monday/Lundi de Pentecôte 9.6.	x	x	x		x	16.6.		x**	x				x
Fronleichnam/Corpus Christi/Fête-Dieu 19.6.	x ²	x						x					
Mariä Himmelfahrt/ Assumption Day/ Assomption 15.8.	x ²	x	x			x		x			x		x
Allerheiligen/All Saints Day/Toussaint 1.11. ⁶	x ²	x	x					x			x		x
Allerseelen/All Souls Day/Jour des Morts 2.11. ⁷			x										
Mariä Empfängnis/ Feast of the Conception/ Immaculée Conception 8.12.		x									x		
Heiliger Abend/Christmas Eve/Veille de Noël 24.12.	x	x		x		x	x		x			x	
1. Weihnachtstag/ Christmas Day/ Jour de Noël 25.12.	x	x	x	x	x	x	x	x**	x	x	x	x	x
2. Weihnachtstag/Boxing Day/Lendemain de Noël 26.12.	x	x	x	x	x	x	x	x**	x	x		x	x ¹²
Silvester/New Year's Eve/ Saint Sylvestre 31.12.	x	x	x						x				
Nationalfeiertag/ National Commemoration Day/Fête nationale		26.10. ⁷	21.7.	3.3. 22.9.	1.8.	1.10.	28.10.	3.10.**	5. 6.		12.10. ⁷	6.12. ⁶	14.7.
Samstage/Saturdays/ Samedis	x	x	x	x	x	x	x	x**	x	x	¹¹	x	x
Sonntage/Sundays/ Dimanches	x	x	x	x	x	x	x	x**	x	x	x	x	x
Sonstige Tage/ Other Days/ Autres jours	30.4. ⁴ 5.5. ⁴ 3.10. ³		11.11. 15.11. ⁶ 29.12. 30.12.	6.5. 24.5. 6.9.	2.1.	10.3. 25.3. 1.4. 28.10.	8.5. 5.7. ⁶ 6.7. ⁷ 28.9. ⁷ 17.11.	31.10. ⁺	17.4. 16.5.	24.2. 23.6. 24.6. 20.8.	19.3. 17.4. 2.5. ¹⁰ 15.5. ¹⁰ 6.12. ⁶	20.6.	8.5. 11.11.

Tag/Days/Jours	EP	GB	GR	HU	IE	IT	LU	MC	PT	SE	SI	SK	TR
Neujahr/New Year/ Nouvel An 1.1.	x	x	x	x	x	x	x	x	x	x	x	x	x
Heilige Drei Könige/ Epiphany/Epiphanie 6.1.	x ²		x			x				x		x	
Karfreitag/Good Friday/ Vendredi Saint 18.4.	x	x	25.4.		x				x	x		x	
Ostermontag/Easter Monday/Lundi de Pâques 21.4.	x	x	28.4.	x	x	x	x	x		x	x	x	
Maiifeiertag/May Day/ Fête du travail 1.5.	x		x	x		x	x	x	x	x	x	x	
Christi Himmelfahrt/ Ascension Day/ Ascension 29.5.	x						x	x		x			
Pfingstmontag/Whit Monday/ Lundi de Pentecôte 9.6.	x		16.6.	x			x	x		x			
Fronleichnam/Corpus Christi/Fête-Dieu 19.6.	x ²							x	x				
Mariä Himmelfahrt/ Assumption Day/ Assomption 15.8.	x ²		x			x	x	x	x		x		
Allerheiligen/All Saints Day/Toussaint 1.11. ⁶	x ²			x		x	x	x	x			x	
Allerseelen/All Souls Day/Jour des Morts 2.11. ⁷							x						
Mariä Empfängnis/Feast of the Conception/Immaculée Conception 8.12.						x		x	x				
Heiliger Abend/Christmas Eve/Veille de Noël 24.12.	x			x	x					x		x	
1. Weihnachtstag/Christmas Day/Jour de Noël 25.12.	x	x	x	x	x	x	x	x	x	x	x	x	
2. Weihnachtstag/Boxing Day/Lendemain de Noël 26.12.	x	x	x	x	x	x	x			x		x	
Silvester/New Year's Eve/ Saint Sylvestre 31.12.	x									x			
Nationalfeiertag/ National Commemoration Day/Fête nationale			25.3. 28.10.	15.3. ⁶ 20.8. 23.10.	17.3.	25.4. 2.6.	23.6.	19.11.	10. 6.		25.6. 26.12.		23.4. 19.5. 30.8. ⁶ 29.10.
Samstage/Saturdays/ Samedis	x	⁸	x	x	x	x	x	x	x	x	x	x	x
Sonntage/Sundays/ Dimanches	x	x	x	x	x	x	x	x	x	x	x	x	x
Sonstige Tage/ Other Days/ Autres jours	30.4. ⁴ 5.5. ⁴ 3.10. ³	19.4. ⁶ 5.5. 26.5. 25.8.	10.3.	2.5. 1.7. 24.10.	5.5. 2.6. 4.8. 27.10. 27.12. ⁶	29.6. ^{7,9}	3.3. 1.9.	27.1. 2.5.	4.3. 25.4. 13.6. 5.10. ⁷ 1.12.	20.6.	2.1. 8.2. ⁶ 2.5. 31.10.	8.5. 5.7. 29.8 1.9. 15.9. 28.10. 17.11.	11.2. 12.2. 13.2. 14.2. 25.11. 26.11. 27.11.

¹ Für das Technische Informationszentrum Berlin des Deutschen Patent- und Markenamts gelten nur die mit * gekennzeichneten, für die Dienststelle Jena die mit + gekennzeichneten Feiertage.

² Annahmestelle in München geschlossen.

³ Annahmestellen in Berlin und München geschlossen.

⁴ Annahmestelle in Den Haag geschlossen.

⁵ Annahmestellen in München und Den Haag geschlossen.

⁶ Samstag.

⁷ Sonntag.

⁸ Das britische Patentamt ist mit Ausnahme des 19. April 2003 an Samstagen für die Entgegennahme europäischer Patentanmeldungen, für die keine Priorität beansprucht wird, bis 13.00 Uhr geöffnet.

⁹ Nur in Rom.

¹⁰ Nur in Madrid.

¹¹ Das spanische Patentamt ist an Samstagen bis 14.00 Uhr geöffnet.

¹² Gilt nur für die Zweigstelle Straßburg.

¹ In the case of the Technisches Informationszentrum Berlin of the German Patent and Trademark Office, only the days marked * and for the Jena Annex only the days marked + apply.

² Filing office in Munich closed.

³ Filing offices in Berlin and Munich closed.

⁴ Filing office at The Hague closed.

⁵ Filing offices in Munich and The Hague closed.

⁶ Saturday.

⁷ Sunday.

⁸ The United Kingdom Patent Office is open until 13.00 hrs on Saturdays for the receipt of European patent applications for which no priority is claimed, except on 19 April 2003.

⁹ Only in Rome.

¹⁰ Only in Madrid.

¹¹ The Spanish Patent Office is open until 14.00 hrs on Saturdays.

¹² Applies to the branch office in Strasbourg only.

¹ Pour le Technisches Informationszentrum de Berlin de l'Office allemand des brevets et des marques, seuls sont fériés les jours marqués d'un * et pour l'agence de Jena les jours marqués d'un +.

² Bureau de réception de Munich fermé.

³ Bureaux de réception de Berlin et de Munich fermés.

⁴ Bureau de réception de La Haye fermé.

⁵ Bureaux de réception de Munich et de La Haye fermés.

⁶ Samedi.

⁷ Dimanche.

⁸ A l'exception du 19 avril 2003, l'Office des brevets du Royaume-Uni sera ouvert tous les samedis jusqu'à 13 heures pour recevoir des dépôts de demandes de brevet européen ne revendiquant pas de droit de priorité.

⁹ Seulement à Rome.

¹⁰ Seulement à Madrid.

¹¹ L'Office espagnol des brevets sera ouvert les samedis jusqu'à 14 heures.

¹² S'applique seulement au centre régional à Strasbourg.